

COUNCIL AGENDA, CITY OF COUNCIL BLUFFS, IOWA  
REGULAR MEETING 08/24/2009 7:00 PM  
COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR, CITY HALL  
209 PEARL STREET

**AGENDA**

**1. PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER**

**3. CONSENT AGENDA**

- A. Approval of agenda and tape recording of this proceeding to be incorporated into the official minutes
- B. Reading, correction and approval of the minutes of August 10, 2009 City Council meeting
- C. Resolution 09-245, setting a date of September 10, 2009, 10:00 a.m., for a Consultation and Public Hearing date of September 28, 2009 at 7:00 p.m., regarding the 2009 Amendment to the Bluffs Center I Urban Renewal Plan
- D. Resolution 09-246, intent to dispose of City property legally described as Lots 1 and 2, Block 2, Stutsman's Second Addition and setting a Public Hearing for September 14, 2009 at 7:00 p.m.
- E. Resolution 09-247, directing the City Clerk to publish notice and set Public Hearing for September 14, 2009 at 7:00 p.m., on the Plans, Specifications and Form of Contract for Phase I of the 28th Avenue Extension Project
- F. Resolution 09-248, accepting the work of Lueder Construction in connection with the Public Works Fleet Maintenance Facility and authorizing the Finance Director to issue a City check in the amount of \$168,836.82
- G. Resolution 09-249, accepting the work of Eriksen Construction Company, Inc., in connection with the Digester Cover Repair and authorizing the Finance Director to issue a City check in the amount of \$22,271.92

**4. PUBLIC HEARINGS**

- A. Resolution 09-234, approving the assessment of costs for securing certain buildings within the City of Council Bluffs, Iowa
- B. Resolution 09-250, approving the Plans, Specification, Form of Contract, and Cost Estimate for the East 29th Avenue Sewer Extension Project

**5. ORDINANCE ON FIRST READING**

- A. Ordinance 6042, to amend the zoning map of the City of Council Bluffs, Iowa,

as adopted by reference in Section 15.02.040, by changing the district designation of certain grounds, premises and property generally located at North 17th Street and Avenue C, from C-2/Commercial to R-3/Low Density Multi-Family Residential, as set forth and defined in Chapters 15.15 and 15.10 and setting a Public Hearing for September 14, 2009 at 7:00 p.m.

**6. ORDINANCE ON SECOND READING**

- A. Ordinance 6041, to amend Chapter 3.21 "Urban Deer Management Program" by amending Section 4.21.020 "Hunting regulations", to include areas designated as R1, R2, and R3, on private property totaling three (3) acres or more; and by enacting a new Section 4.21.025 "Feeding prohibited"

**7. ORDINANCES ON THIRD READING**

- A. Ordinance 6036, amending Chapter 9.16 "Signs and Signals" by amending Section 9.16.055 "Automated Red Light Enforcement" to amend the fine to the current schedule fine, including all surcharges and costs, as set by the Iowa Code
- B. Ordinance 6037, to amend Ordinance Nos. 5766 and 5859, providing that general property taxes levied and collected each year on all property located within the Amended Playland Park Urban Renewal Project Area, in the City of Council Bluffs, County of Pottawattamie, State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other Taxing Districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Amended Playland Park Urban Renewal Redevelopment Project including the Urban Renewal Transcript and County Recorder's Certificates
- C. Ordinance 6038, to amend the zoning map as adopted by reference in Section 15.02.040, by changing the district designation of certain grounds, premises and property located at 3506 2nd Avenue and 3510 2nd Avenue from C-2/Commercial to R-3/Low Density Multi-Family Residential, as set forth and defined in Chapters 15.15 and 15.10
- D. Ordinance 6039, to amend Chapter 15.03 "Definitions" by amending 15.03.271 "Family Home"
- E. Ordinance 6040 (revised), to amend Chapter 3.08 "Beer and Liquor Control" by amending Section 3.08.045 "Exceptions to Section 3.08.040(5)", to include areas zoned as C-3, and to allow amplified music between the hours of 7:00 a.m. and 10:00 p.m., with restrictions

**8. RESOLUTIONS**

- A. Resolution 09-251, authorizing the Mayor and City Clerk to execute a cooperative Agreement, No. 2009-6-185 with the Iowa Department of Transportation and Iowa West Foundation for the US 6 Broadway Viaduct

## Replacement Project

- B. Resolution 09-252, authorizing the acquisition of property from Edwin and Kathryn Baker as part of the Mid-City Corridor Project
- C. Resolution 09-253, granting preliminary plan approval for a nine-lot residential cluster subdivision (with one out lot) to be known as Glen Park Town Homes
- D. Resolution 09-254, of the City Council of the City of Council Bluffs, authorizing a joint application to the Iowa Department of Economic Development (IDED) by the Council Bluffs Enterprise Zone Commission and John Dalton Enterprise Zone Benefits
- E. Resolution 09-255, of the City Council of the City of Council Bluffs authorizing submission of Amendment #1 to Enterprise Zone Agreement 07-HEZ-020 to the Iowa Department of Economic Development (IDED) by the Council Bluffs Enterprise Zone Commission and Key Development LLC for Enterprise Zone Benefits
- F. Resolution 09-256, of the City's intent to initiate condemnation proceedings to acquire property generally described as 1028 Creek Top Street
- G. Resolution 09-257, of the City's intent to initiate condemnation proceedings to acquire property generally described as 4 North 12th Street
- H. Resolution 09-258, to establish and authorize an Administrative Fee for the Abatement of Nuisances, as set forth in Chapter 8.54 of the 2005 Municipal Code
- I. Resolution 09-259, authorizing the Mayor and City Clerk to execute an agreement with C. T. Hansen and Sons, in connection with the Bass Pro Shop Exterior Painting Project
- J. Resolution 09-260, authorizing the Mayor and City Clerk to execute an agreement with \_\_\_\_\_, for the Council Bluffs Public Library Teen Center Renovation Project
- K. Resolution 09-261, City's intent to initiate condemnation proceedings to acquire property generally described as part of Lots 1, 2 and 3 in the SW 1/4 NE 1/4, part of lot 1 in the SW 1/4 NW 1/4 and part of Lots 2 and 5 in the NW 1/4 NE 1/4 all in Section 32, Township 75, Range 43, lying northwest of Mosquito Creek, Council Bluffs, Pottawattamie County, Iowa, and setting a Public Hearing for September 28, 2009 at 7:00 p.m.
- L. Resolution 09-262, City's intent to initiate condemnation proceedings to acquire property generally described as parts of Lot 3, SE 1/4 SW 1/4, Lot 5 SW 1/4 SW 1/4 and Lot 6 NE 1/4 SW 1/4, all in Section 32, Township 75, Range 43, Council Bluffs, Pottawattamie County, Iowa, and setting a Public Hearing for September 28, 2009 at 7:00 p.m.

## 9. MAYOR'S APPOINTMENTS

- A. Appointment of Linda Rhatigan to the Civil Rights Commission, term expiring August 1, 2012

**10. RECEIVE AND FILE ITEMS**

- A. Two (2) Notices of Claim
- B. Cash Balance Statement, July 31, 2009
- C. List of Bills, July 31, 2009
- D. Pottawattamie County Assessor - (13) Notices to Taxing Districts

**11. APPLICATIONS FOR PERMITS AND CANCELLATIONS**

**A. BEER & LIQUOR LICENSE RENEWAL PERMITS**

- 1. Ampride, 4040 South Expressway
- 2. Atherton Automotive Service, 2900 West Broadway
- 3. Barley's, 114 West Broadway
- 4. Bucky's Express, #17, 1759 Madison Avenue
- 5. Bucky's Express, #27, 2713 South 24th Street
- 6. Big K Mart, 2803 East Kanesville Boulevard
- 7. Council Bluffs Travel Center, 3210 South 7th Street
- 8. Do Rock Inn, 1200 7th Avenue
- 9. G's Phillip's 66, 3500 Avenue A
- 10. Godfather's Pizza, 34 Pearl Street
- 11. Godfather's Pizza, 3020 West Broadway
- 12. Horseshoe Casino, 2701 23rd Avenue
- 13. Huhot Mongolian Grill, 3120 Manawa Centre Drive
- 14. Jonesy's Taco House, 1117 16th Avenue
- 15. La Mesa Mexican Restaurant, 3036 South Expressway
- 16. Madison Avenue Ampride, 1836 Madison Avenue
- 17. Mario's Bar & Laundry, 719 South Main Street
- 18. Quik Trip #575, 1749 West Broadway
- 19. Scott Street Pub, 25 Scott Street
- 20. Tienda Mexicana, 620 - 622 South Main Street

**B. ONE (1) CIGARETTE PERMIT APPLICATION**

- 1. Bottoms Up Lounge, 2800 Twin City Drive

**12. CITIZENS REQUEST TO BE HEARD**

**13. OTHER BUSINESS**

**14. ADJOURNMENT**